VI. Privileges.

D. Minor Forest Produce.

Rules regarding the regulation and disposal of minor forest produce.

237. (1) In the opinion of His Excellency the Governor in Council the principle which should govern the action of the officers concerned in the matter of regulating the collection of minor forest produce is that—

I. Exploitation should be limited—

(i) to articles for which a trade demand exists or for which there is a reasonable probability that such a demand may in time be created, and in respect of such articles, to localities in which they are produced in sufficient abundance, and which are sufficiently accessible to be worth working;

(ii) to articles, such as catechu, the collection or manufacture of which it is necessary in the interest of forest conservancy to keep under effective control.

II. Except in so far as they may be reserved for exploitation in each district from year to year in pursuance of that principle, the collection and sale of articles of minor forest produce, in open forests, should be left free and unrestricted.

(2) The application of this principle will naturally vary in different districts and in different seasons, and His Excellency the Governor in Council considers that it should be left to the Revenue and Forest authorities of each district to consider and decide in concert each year, before the collecting season begins,

(i) what articles in what localities it will be proper to exploit, having regard to local conditions and past results;

(ii) what arrangements should be made or what conditions imposed, either generally or specially, in order to prevent hardship and secure the greatest benefit to the people employed in collecting.

It should be clearly understood that Government are not anxious to make a revenue from minor produce and that the application of the principle should not be allowed to operate in restriction of any rights or privileges of collection for private use or sale that may have been, or may hereafter be, recognized under due authority.

(3) Any difference of opinion among the District Officers should be referred for settlement to the Commissioner, through the Conservator. The decision of the Commissioner should be regarded as final.*

Charcoal is a forest produce.

238. Charcoal is not excluded from the definition of "forest produce" which is not exhaustive, and His Excellency in Council considers that charcoal may fairly be considered forest produce for the purposes of the Act.†

* Government Resolution No. 9846, dated 15th December 1892.
Government Resolution No. 6708, dated 11th September 1883.

Section 242, page 145.

Mark with two asterisks the line "(i) Kanara Forest Privilege Rules" an *add* the following to the foot note :—

Government Resolution No. 6079, dated 27th June 1911, Revenu Department."

VI. Privileges.

D. MINOR FOREST PRODUCE—*concluded.*

239. What constitutes "forest produce" is clearly laid down in the definition of that term as given in paragraph 2 of the Indian Forest Act. Loose stones and the ruins of old buildings whether composed of cut stone or bricks clearly do not come within the category of articles included in the definition of forest produce.*

Stones and bricks from ruins situated in reserved forests are not "forest produce."

240. The concession granted to the Public Works Department exempting that Department from payment of fees for stone obtained for public purposes from quarries situated in lands included within reserved forests may be extended to the Local Funds Department and Municipalities, provided the permission of the Divisional Forest Officer is first obtained in each instance.†

The Public Works and Local Funds Departments and Municipalities are exempted from fees for quarrying stone in reserved forests.

241. Thorns from Government forests required for fencing roadside trees, both on Provincial and Local Fund roads, should be granted free of payment. The sanction of Government in each case is not needed.‡

Thorns to be supplied free to the Provincial and Local Funds.

E. Rules regulating special privileges in various districts.

Thána:

NOTE.—For rules regulating the collection of wood-ash material in Thána read sections 206 and 206*a*, Standing Orders, Forests.

(*i*) *Kánara Forest Privilege Rules.*

242. 1. The undermentioned privileges may be exercised free of charge to the extent and solely for the purposes indicated in each case if *bonâ fide* required for the said purpose and not for trade, sale or barter, but their exercise shall be restricted to actual cultivators of land situated in villages in which there is unorganized Reserved Forest open to such privileges, or for the use of which such forest has been or may be set apart :—

A.—Privileges the exercise of which is permitted only in such areas of unorganized Reserved Forest as are open, or may from time to time hereafter be notified as open, to the exercise of such privileges.

(*a*) The collection and removal by headloads only of fallen dead-wood of unreserved trees for domestic purposes, but not for the manufacture of *jágri*.

(*b*) The removal of clay and stones for agricultural purposes from places appointed in this behalf by the Divisional Forest Officer, in such cases as are not sufficiently provided for by rule 3 *infra*.

(*c*) The cutting or collection and removal of canes, creepers other than *shige* and all other articles of minor forest produce except such as may be specially reserved from time to time by the Forest Department with the approval of the Collector.

* Government Resolution No. 1802, dated 28th March 1881.

† Government Resolutions No. 1802, dated 28th March 1881; and No. 6139, dated 6th September 1882.

‡ Government Resolution No. 7740, dated 25th September 1885.

** Government Resolution No 6079 dated 27 th June 1911. Revenue Department